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OFFICE OF PETITIONS

In re Application of
Annette C. Grot et al.
Application No. 10/729,508
Filed: December 5, 2003
Attorney Docket No. 10004289.1

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: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
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This is in response to the renewed petition filed under 37 CFR 1.47(a) on May 17, 2004 (certificate of mail date).¹

The petition is GRANTED.

The above-identified application was filed on December 5, 2003. The application names Annette C. Grot and Thomas J. Mikes as inventors. The declaration is signed by inventor Grot only. The applicant files this petition alleging that joint inventor Thomas J. Mikes refuses to cooperate with the filing of the application and seeks status under 37 CFR 1.47(a).

By remarks made by Jon E. Holland, the Attorney of Record, and a copy of the letter sent to Mr. Mikes, forwarding to him the complete application, it was shown that Mr. Mikes has been afforded an opportunity to review the application as filed and that his failure to return an executed oath or declaration in response to the requests to do so, is tantamount to a refusal to cooperate with the filing of the application.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

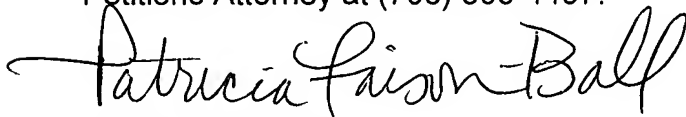
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

¹ A petition under 37 CFR 1.47(a) was filed December 5, 2003 and dismissed in a decision mailed March 16, 2004.

Thus, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to Technology Center 2877 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497.

A handwritten signature in cursive script that reads "Patricia Faison-Ball". The signature is written in black ink and is positioned above the printed name and title.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions